

Senate File 2199

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1 1 SENATE FILE 2199
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1 3 AN ACT
1 4 RELATING TO RESIDENTIAL LANDLORD=TENANT LAW, BY MAKING
1 5 CERTAIN CHANGES CONCERNING FAMILY VIOLENCE AND DOMESTIC
1 6 ABUSE.
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1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 10 Section 1. Section 562A.27A, subsection 1, Code 2003, is
1 11 amended to read as follows:
1 12 1. Notwithstanding section 562A.27 or 648.3, if a tenant
1 13 has created or maintained a threat constituting a clear and
1 14 present danger to the health or safety of other tenants, the
1 15 landlord, the landlord's employee or agent, or other persons
1 16 on or within one thousand feet of the landlord's property, the
1 17 landlord, after the service of a single three days' written
1 18 notice of termination and notice to quit stating the specific
1 19 activity causing the clear and present danger, and setting
1 20 forth the language of subsection 3 which includes certain
1 21 exemption provisions available to the tenant, may file suit
1 22 against the tenant for recovery of possession of the premises
1 23 pursuant to chapter 648, except as otherwise provided in
1 24 subsection 3. The petition shall state the incident or
1 25 incidents giving rise to the notice of termination and notice
1 26 to quit. The tenant shall be given the opportunity to contest
1 27 the termination in the court proceedings by notice thereof at
1 28 least three days prior to the hearing.
1 29 Sec. 2. Section 562B.25A, subsection 1, Code 2003, is
1 30 amended to read as follows:
1 31 1. Notwithstanding section 562B.25 or 648.3, if a tenant
1 32 has created or maintained a threat constituting a clear and
1 33 present danger to the health or safety of other tenants, the
1 34 landlord, the landlord's employee or agent, or other persons
1 35 on or within one thousand feet of the landlord's property, the
2 1 landlord, after the service of a single three days' written
2 2 notice of termination and notice to quit stating the specific
2 3 activity causing the clear and present danger, and setting
2 4 forth the language of subsection 3 which includes certain
2 5 exemption provisions available to the tenant, may file suit
2 6 against the tenant for recovery of possession of the premises
2 7 pursuant to chapter 648, except as otherwise provided in
2 8 subsection 3. The petition shall state the incident or
2 9 incidents giving rise to the notice of termination and notice
2 10 to quit. The tenant shall be given the opportunity to contest
2 11 the termination in the court proceedings by notice thereof at
2 12 least three days prior to the hearing.
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2 16 _____
2 17 JEFFREY M. LAMBERTI
2 18 President of the Senate
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2 21 _____
2 22 CHRISTOPHER C. RANTS
2 23 Speaker of the House
2 24
2 25 I hereby certify that this bill originated in the Senate and
2 26 is known as Senate File 2199, Eightieth General Assembly.
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2 29 _____
2 30 MICHAEL E. MARSHALL
2 31 Secretary of the Senate
2 32 Approved _____, 2004
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2 34
2 35 _____
3 1 THOMAS J. VILSACK
3 2 Governor